

THE HONORABLE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ENDURANCE AMERICAN SPECIALTY
INSURANCE COMPANY, a Delaware
Corporation,

Plaintiff,

v.

EVOLUTION SIDE, LLC, a Washington
limited liability company; LAER
ENTERPRISES, INC., a Washington
corporation; KENTON SCHUMACHER, a
Washington resident; MADALYN HORN, a
Washington resident; JENNIFER LALLY, a
Washington resident; BRANDON &
MICHELLE CONNOR, Washington
residents; MIKE NETTEKOVEN, a
Washington resident; NOAH MANN, a
Washington resident; STACEY MCGRATH,
a Washington resident; JENNIFER
ELLSWORTH-BOESL, a Washington
resident; STORM WENDT, a Washington
resident; DAVID BALDWIN, a Washington
resident; TROY RUNNER, a Washington
resident; TRAVIS REANO, a Washington
resident; DEREK TULLUCK, a Washington
resident; RHONDA & JEFF SAWYER,
Washington residents; JENNIFER
BROADBENT, a Washington resident; ALI
JONES & JULIO VALDEZ, Washington
residents; JOHN KENNEDY, a Washington
resident; ALEX CORRAL & KELSIE
TROTIGNON, a Washington resident;

No. 2:23-cv-00365-RSM

STIPULATED MOTION TO DISMISS ALL
CLAIMS WITH PREJUDICE AND
PROPOSED ORDER

**NOTE ON MOTION CALENDAR: JULY
25, 2024**

1 CYNTHIA & JOSHUA BAUER, Washington)
 residents; RICKY & MADISON HALL,)
 2 Washington residents; LARRY PAGUE, a)
 Washington resident; JULIE ACHESON, a)
 3 Washington resident; JENNIFER WHITE, a)
 Washington resident; STEPHEN HANNAN, a)
 4 Washington resident; ANNIE NAHON, a)
 Washington resident; TEMASWATI)
 5 JOHNSTON, a Washington resident; AMIR)
 MOUSAVI, a Washington resident; TYLER)
 6 GOLD, a Washington resident; NOEL)
 TEVES, a Washington resident; TERESA)
 7 RODMAN, a Washington resident; IVAN)
 NGAUAMO, a Washington resident;)
 8 ANDREW & DIANE MORTAGNE,)
 Washington residents; BRIAN HELLESTO, a)
 9 Washington resident; VERNON BRANCO, a)
 Washington resident; LAUREN BICKFORD,)
 10 a Washington resident, JOSHUA &)
 JOHANNA SUMMERS, Washington)
 11 residents; RON BOCCA, a Washington)
 resident; JOSHUA DOERING, a Washington)
 12 resident; KELLY ROBINSON, a Washington)
 resident; KEN CUNNINGHAM, a)
 13 Washington resident; PATRICK BROOKE, a)
 Washington resident; NATE MOWRY, a)
 14 Washington resident; TREVOR ANDERSON,)
 a Washington resident; DEBRA SILVER, a)
 15 Washington resident; TODD GRIFFEN, a)
 Washington resident; RONDA BOYD, a)
 16 Washington resident; GARY MAGREEHAN,)
 a Washington resident; KRISTEN & ALEX)
 17 HALL, Washington residents; CALEB)
 HARRIS, a Washington resident; KIERAN)
 18 HUNT, a Washington resident; LINDSEY)
 CALDERWOOD, a Washington resident;)
 19 CATHY KOMBOL, a Washington resident;)
 REBEKAH ENGEBO, a Washington resident;)
 20 GABRIELLA MANCILLA, a Washington)
 resident; BRIAN & ANISSA REGO,)
 21 Washington residents; KATIE MIKESELL, a)
 Washington resident; TROY SALISBURY &)
 22 JESSICA MATIAS, Washington residents;)
 GREG & TIFFANY HOPKINS, Washington)
 23 residents; RENE LOPEZ RIVERA, a)
 Washington resident; ETHAN)
 24 SCHIERENBECK, a Washington resident;)
 JUDY PRENOVOST, a Washington resident;)
 25 ALYSSA MERCER, a Washington resident;)
 SETH & CASSIE POHLMAN, Washington)
 26 residents; SHELLY VEAZEY, a Washington)
 resident; TANYA EVANS, a Washington)

1 resident; ADAM POHLMAN, a Washington)
 2 resident; ARDEN BARDEN, a Washington)
 3 resident; IRIS PALLER -MILNE, a)
 4 Washington resident; JEFF & KATHERINE)
 5 POTASKY, Washington residents; RYAN)
 6 HILDEBRAND, a Washington resident;)
 7 MIKE & SANDY O'HARA, Washington)
 8 residents; ANTONIO GENSON, a)
 9 Washington resident,)
 10 Defendants.)

11 Plaintiff Endurance American Specialty Insurance Company (“Endurance”) and
 12 Defendant/Counterclaimant Laer Enterprises, Inc. (“Laer”) through their attorneys agree to and jointly
 13 move the Court for entry of an order dismissing all remaining claims in this case in their entirety with
 14 prejudice and without an award of costs or attorneys’ fees to any party.

15 A proposed order accompanies this stipulated motion.

16 DATED this 25th day of July, 2024.

17 MURPHY ARMSTRONG & FELTON LLP

18 By: /s/ James P. Murphy
 19 James P. Murphy, WSBA #18125
 20 719 Second Avenue
 21 Suite 701
 22 Seattle, WA 98104
 23 T/206.985.9770 F/206.985.9790
 24 jpm@maflegal.com

25 *Attorney for Plaintiff Endurance American*
 26 *Specialty Insurance Company*

FOSTER GARVEY, PC

By: /s/ John P. Zahner (email auth. 7/23/2024)
 John P. Zahner, WSBA #24505
 Foster Garvey PC
 1111 Third Avenue, Suite 3000
 Seattle, Washington 98101-3296
 T/206.447.4400 F/206.447.9700
jack.zahner@foster.com

Attorney for Laer Enterprises, Inc.

ORDER

This matter, having come before the Court on the foregoing stipulation, and the Court finding good cause, hereby orders that this case is dismissed with prejudice and without an award of costs or attorneys' fees to any party. The Clerk is directed to close this case.

DATED this 29th day of July, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify and declare that on July 29, 2024, I electronically filed the foregoing

1. STIPULATED MOTION TO DISMISS ALL CLAIMS AND PROPOSED ORDER

with the Clerk of the Court using the CM/ECF system, which will send notification to the following counsel:

John P. Zahner
Foster Garvey PC
1111 Third Avenue, Suite 3000
Seattle, Washington 98101-3296
T/206.447.4400 F/206.447.9700
jack.zahner@foster.com

DATED at Seattle, Washington, this 25th day of July 2024.

By: /s/ David Kassissieh
David Kassissieh, Paralegal